





2021 DJS Legislative Update


The 441st session of the Maryland General Assembly




SB 146 - Deputy Secretaries (Departmental) - This bill creates a third deputy secretary position within DJS, effective July 1, 2021. This aligns the DJS leadership with the agency's structure, with an additional deputy secretary added to lead community operations.



SB 497 - Juvenile Services Education Board and Program – Establishment, Powers, and Duties - This bill establishes an independent unit, housed within DJS, to operate the Juvenile Services Education Program. Staff will be transferred from MSDE to DJS. A separate school board will be created to oversee this program; the board will appoint a Superintendent who will run the day-to-day educational operations. The Board includes the DJS Secretary, the Attorney General's Office, educational experts, and others. Full handover of operations occurs on July 1, 2022, with the Board coming into existence on July 1, 2021. DJS, MSDE, and the Board are all required to report to the General Assembly on their transition plans by December 1, 2021.



SB 314 - Juveniles Charged as Adults - Confidentiality of Records - This bill was passed in 2020 and vetoed by the Governor; that veto was overridden this session and the bill became law on March 15, 2021. SB314 makes police and court records related to youth charged as adults confidential in the same way that juvenile records are normally protected. These protections are maintained as long as a motion to transfer jurisdiction is pending. As a result of this law, impacted cases have been removed from Case Search.



HB 1187 – Juvenile Law – Juvenile Justice Reform Council Extension and Grant Funding. As introduced, this bill implemented the reforms outlined in the Juvenile Justice Reform Council's January 2021 report. As amended and passed, the bill took a more limited form by extending the Council and providing \$2 million in funding for the ROCA Baltimore anti-violence program. The Council will continue to meet and will submit a supplemental report to the General Assembly by October 1, 2021.

DJS Assigned Workgroups, Task Forces, and Commissions



Maryland Commission on Health Equity – SB 52 creates a Commission to study and reduce health inequities and makes the DJS Secretary or representative a member.

Procurement improvement Council and Council for the Procurement of Health, Educational, and Social Services are merged by **HB 871** with DJS Secretary becoming a member of the consolidated council.

Human Services – Trauma-Informed Care – Commission and Training – SB 299 adds the DJS Secretary to newly-created Commission on Trauma-Informed Care.

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Noteworthy Legislation



SB 494- Juvenile Restoration Act – creates a new court process for a juvenile sentenced as an adult who has served at least 20 years in prison by allowing a request for modification of sentence. The court must schedule a hearing on this request and review the petitioner’s progress in prison, role in the crime, and victim impact testimony. If the court finds the person is no longer a threat to public safety and that it is in the interest of justice, the court may reduce the sentence. A juvenile may receive up to three such hearings, but not more frequently than every three years. The bill also 1) bans life without parole and 2) eliminates mandatory penalties for juveniles charged as adults.

HB 180 – Sexting - this bill creates special procedures for juveniles who commit offenses involving “sexting.” The bill 1) defines “sexting” as the consensual sharing of images between young people, with exceptions; 2) makes sexting a mitigating factor in child pornography related offenses; (3) prohibits the juvenile court from committing or using community detention as part of a disposition in a sexting case except in extraordinary circumstances; (4) authorizes the juvenile court to order a child to participate in an educational program and (5) eliminates sex offender registration for children found to have violated child pornography statutes.

SB 515 - Criminal Procedure – Registered Sex Offenders – Entry Onto School Property - prohibits students who are on the sex offender registry from attending public or nonpublic schools. County school boards are required to create an alternate program for these students or to utilize home and hospital care. Students on the sex offender registry may also be educated at a Regional Institute for Children and Adolescents (RICA) or at a nonpublic school which serves students with disabilities, provided the nonpublic school grants written permission.

The General Assembly overrode Governor Hogan’s 2020 veto of two crime bills:

SB 907 (2020) Public Safety – Crime Plan and Law Enforcement Councils (Maryland State Crime Plan) - creates a statewide law enforcement coordinating council and appoints the DJS Secretary as a member. Regional coordinating councils are also established, each with a DJS representative.

SB 929 (2020) Public Safety – Baltimore City – P.R.O.T.E.C.T. (Public Resources Organizing to End Crime Together) Program – this bill requires DJS, Department of Public Safety and Correctional Services (DPSCS), and Baltimore Police Department (BPD) to improve coordination at the police-district level in Baltimore. BPD and DJS are also to report back on this effort to the General Assembly.

DJS Legislative Process

